

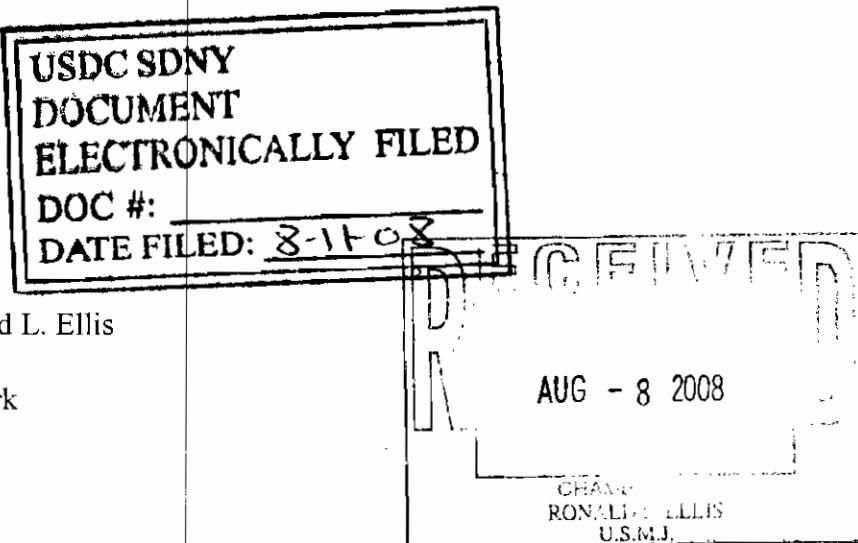
WHITE FLEISCHNER & FINO, LLP

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August 07, 2008

BY HAND DELIVERY

Hon. Magistrate Judge Ronald L. Ellis
 United States District Court
 Southern District of New York
 500 Pearl Street
 New York, New York 10007



Re: Schell v. Ritz Carlton, et al.
 Docket No.: 08 CV 2161 (SAS)(RLE)
 Our File No.: 143-13194-D-PAF/DM\$

Dear Judge Ellis:

My office represents the Defendants in this matter.

This letter is written to request a short adjournment of the settlement conference currently scheduled to take place on August 12, 2008. No prior requests have been made to adjourn this conference, though the date was previously changed to accommodate the Court's schedule. I have the consent of plaintiff's counsel, Sean Duffy, for this request.

Defendants request the adjournment in order to evaluate the case more carefully, to make the settlement conference more productive. We have had difficulty getting plaintiff's Workers' Compensation file from the carrier, Liberty Mutual. However, plaintiff's counsel was kind enough to send us a copy of the records in their possession yesterday, which I have in turn sent to my principal for review. If possible, we request an additional two weeks to review the records for purposes of settlement.

Provided Your Honor's calendar will allow it, we request that the conference be re-scheduled for August 25, 26, or 27, or a date shortly after Labor Day.

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Thank you for your kind consideration.

Very truly yours,

WHITE FLEISCHNER & FINO, LLP


Daniel M. Stewart
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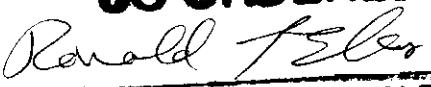
DMS/wj

cc: **VIA FACSIMILE ONLY (914) 948-2255**

M. Sean Duffy, Esq.
SCARCELLA LAW OFFICES
44 Church Street, Suite 150
White Plains, New York 10601
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Conference adjourned
to 8/26/08 at 2:30pm

SO ORDERED


Ronald L. Ellis 8-11-08
MAGISTRATE JUDGE RONALD L. ELLIS